

FILED

FEB 2 2021

Clerk, U.S. Bankruptcy,  
Orlando Division

Via  
docket  
3:10 pm  
2-2-2021

— Urgent Motion — Case # 6:18bk-01884KSJ

Hon. Judge Karen S. Tennemann  
Hon. Trustee Laurie K. Weatherford

Loan # 4770909499

Honorable Judge Karen S. Tennemann  
Honorable Trustee Laurie K. Weatherford

I expose all my calls diligences and responsibility before Cenlar which may took up to an hour to follow up on documents that they might need. A very strong and frustrating struggle in the face the impotence that they always kept asking for more and more documents which had already been sent to them on multiple occasions.

I have done the unspeakable to obtain the modification but who can against an institution which never asked me for documents which I found out when I called and representatives informed me and others indicated that I did not receive authorization from my lawyer to speak with me.

All this process that I have been through for a long times is the reality of a truth that you must know.

I do not consider it correct that the banks take advantage of citizens who try to obtain a modification as is my case.

Torturing over and over again asking for documents that have been sent to them and to my lawyer.

I beg you to re-evaluate my case with this information and evidence from attached e mails and calls.

Without any other particular, thanking your  
prompt management and request.  
Keeping your orders,

Nelson Ramos

Case # 6:18-bk-01884-KSJ

all my dues to get my modification with Cenlar. all time request documents that I already sent. All over again, again. Attached date, Representative Name ID. all of this is document in e mail sent to my lawyer Erin Tsuphope & Aldo Bartolone.

8/10/2020 Mr. Walker ID# 5600 document receive all.  
8/19/2020 Mrs. Joseph ID# 5174 missing documents needs  
9/1/2020 Mr. Basit ID# 7088 follow-up documents sent  
9/8/2020 Mrs. Rodas ID# 2843 missing documents  
9/14/2020 Mrs. Dimitrats ID# 3604 need attorney authorization letter to talk with me.  
9/23/2020 Mr. Walker ID# 5600 need to e mail document  
9/29/2020 Mrs. Diminitrats ID# 3604 at DCCDO CS D loan administration, cor (sent some day) Request letter lawyer  
10/15/2020 Mrs. Bounty ID# 5177 (all look fine) no document need at this time. → request more documents and sent the same date by email, speak with my lawyer Erin Tsuphope  
10/20/2020 Mrs. Dimitrats ID# 3604 - request ss Award letters 2020 Financial application page 4.  
10/28/2020 Mrs. Griffin ID# 6188 - no further information need. Review dept. then to the underwriter.  
11/14/2020 Mrs. Griffin ID# 6188 → Please return sign & date Financial information & Statement. Sent 10/26/2020 & resent 11/4/2020.  
11/16/2020 Mrs. Kia ID# 0839 → new update is good due. application is complete on 11/4/20 Take 30 to 45 days just for up day to them.  
11/20/2020 Mrs. Pleasant ID# 3505 → Call every week to see any thing new.  
12/2/2020 Mrs. Thornton ID# 485492 - need authorization letter from lawyer.  
12/2/2020 Mrs. Griffin ID# 6188 - provide June, July bank statement with all papers  
12/11/2020 Mrs. Brown ID# 85443 - request same information & documents I was sent two to three time again.  
12/23/2020 Mrs. Brown ID# 85443 - Document sent 12/23/2020  
01/6/2021 Mrs. Harris ID# 6165 - Case close not receive documents Re apply all over again  
01/13/2021 Mrs. Thornton ID# 485492 all documents was receive 12/27/20 (no dis inf. don't provide information not close with review documents. 12/28/2020 - No body review and review authorization letter.

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January 13, 2021.

Modification Loan # 4770909499

All information and documents was sent to Cular and to attorney Erin Tophope and Aldo Barbone by e-mail.

1/22/2021 Mrs. Roman ID# 2044 - missing documents request

1/27/2021 \* Mrs. Oliver ID# 45112 \* all was sent on 1/23/2021 at this time Package is complete.

1/29/2021 \* Mrs. Ivette Myles ID# 4906 \* All the required documents was receive and it's on Underwriter Office.

On 1/28/2021 I called Laurie K. Weatherford Office and Mrs. Minie answer, I explain to her that my attorney don't answer all my e-mails and phone calls reference to our meeting on 1/15/2021 at 2:30pm on his office.

I explain him why the Dismiss if I always be inform attorney Erin Tophope by e-mail and to him too about the Modification process. That it's something that it's not in my control. (out of my control)

I wrote the two letters attache for the Judge and Trustee and he told me he will attache to the Motion he will present. I was several time call his office and paralegal told me everything look good, that continue

paid the bankruptcy and that it only  
a maintenance meeting, not for dismissal.  
Since 1/15/2021 up to 1/30/2021 I don't  
receive evidence of the Motion to Reinstate  
or Re-Open my case 6:18-bk-01884-KSJ as  
my attorney agree with me in our meeting 1/15/2021.  
Mrs. Minnie from Trustee Office told and  
gave me a source where I can call for  
answering my question why the dismissal  
of the case. If I do everything in a  
good faith and on time.

I call Prostate Assistant Clinic, leave  
a message and send email to them  
with my information on 1/28/2021  
and 1/29/2021.

Base on all the information I provide  
I expect and would like my bankruptcy  
case be re install.

I am attaching copies evidencing the  
communications by email with my  
lawyer; all in advance of dismissal.

Cordially and respectfully

Nelson Ramos

Case# 6:18-bk-01884-K-S-J

**Laurie K. Weatherford**  
**Chapter 13 Standing Bankruptcy Trustee**  
**Middle District of Florida, Orlando Division**  
Post Office Box 3450  
Winter Park, FL 32790-3450  
Telephone (407) 648-8841  
Facsimile (407) 648-2665

January 06, 2021

Nelson Ramos  
Olga Figueroa  
Post Office Box 692201  
Orlando, FL 32869

RE: 6:18-bk-01884-KSJ

Dear Nelson Ramos and Olga Figueroa,

We have received your 2019 income tax return(s) that shows you have a tax liability for that year. Please provide proof of payment of the tax liability. You will not be entitled to a discharge in your case if you have any unpaid income tax liabilities at the end of your case.

Please furnish the above to your attorney.

Laurie K. Weatherford  
Chapter 13 Bankruptcy Trustee

cc: Aldo G Bartolone Jr, Bartolone Law, 1030 N Orange Ave, Ste 300, Orlando, FL 32801

*I sent the 1040 2019 income tax return  
to attorney Erin Zuphope on 10/14/2020  
because it was not sent to the  
Trustee Office?  
I complied with sending it on time  
and I made it known in the e mail.  
Please see evidence attache.*

**UNITED STATES BANKRUPTCY COURT**  
**Middle District of Florida**  
**Orlando Division**

**IN RE:**

**Case No: 6:18-bk-01884-KSJ**

**NELSON RAMOS**  
**OLGA FIGUEROA**

**Debtors /**

**Chapter 13**

**TRUSTEE'S MOTION TO DISMISS CASE FOR DEBTORS' FAILURE TO PROVIDE COPIES OF 2019  
INCOME TAX RETURN(S)**

**Notice of Opportunity to Object and Request for Hearing**

If you object to the relief requested in this paper you must file a response with the Clerk of Court at 400 W. Washington Street, Suite 5100, Orlando, Florida 32801 and serve a copy of the same on the Chapter 13 Trustee, Laurie K. Weatherford, Post Office Box 3450, Winter Park, Florida 32790 (and any other appropriate persons) within the time frame allowed within 21 days from the date of the attached proof of service, plus an additional three days if this paper was served on any party by U.S. Mail.

If you file and serve a response within the time permitted, the Court will either notify you of a hearing date or the Court will consider the response and grant or deny the relief requested in this paper without a hearing. If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, and the Court may grant or deny the relief requested without further notice or hearing.

You should read these papers carefully and discuss them with your attorney if you have one. If the paper is an objection to your claim in this bankruptcy case, your claim may be reduced, modified, or eliminated if you do not timely file and serve a response.

COMES NOW, Laurie K. Weatherford, the Chapter 13 Trustee, and files this Motion to Dismiss for Failure to Provide Copies of the Debtors' Income Tax Return(s), and as grounds states as follows:

1. That the Voluntary Petition in this case was filed on April 03, 2018.
2. That the Order Confirming Plan provides that the Debtors are required to furnish the Chapter 13 Trustee with copies of all income tax returns and turn refunds over to the Trustee.
3. That the Debtors have failed to provide the trustee with a copy of their 2019 income tax return(s).

WHEREFORE, the Trustee moves this Court to dismiss this case.



**Certificate of Service**

I HEREBY CERTIFY, that a true and correct copy of the foregoing was served upon the parties listed below by first-class U.S. Mail, postage prepaid or by Electronic Notification through the Court's ECF System at the e-mail address registered with the Court, on this 4th day of January, 2021.

**Debtors** - Nelson Ramos and Olga Figueroa, Post Office Box 692201, Orlando, FL 32869

**Debtors' Attorney** - Aldo G Bartolone Jr, Bartolone Law, 1030 N Orange Ave, Ste 300, Orlando, FL 32801

**/S/ LAURIE K. WEATHERFORD**

Chapter 13 Trustee

Stuart Ferderer

FL Bar No. 0746967

Ana DeVilliers

FL Bar No. 0123201

Attorney for Trustee

PO Box 3450

Winter Park, FL 32790

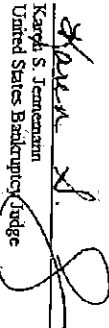
Telephone: 407-648-8841

Facsimile: 407-648-2665

E-mail: info@c13orl.com

Dated: January 11, 2021

ORDERED.

  
Karyl S. Janneman  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION  
[www.jmrb.uscourts.gov](http://www.jmrb.uscourts.gov)

Case No. 6:18-bk-01884-KSJ

In re:

NELSON RAMOS and  
OLGA FIGUEROA,

Debtors.

ORDER DISMISSING CASE

THIS CASE came on for a post-confirmation status hearing as to Mediation on January 6, 2021 at 2:00 p.m. The Court, after hearing argument of counsel and being otherwise fully informed in the premises, finds that as mediation was not successful and the Debtors' have not filed a Motion to Modify Confirmed Plan that either provides for the cure and reinstatement of

the mortgage debt or the surrender of the collateral, that this case should be dismissed.

Accordingly, it is hereby

**ORDERED AND ADJUDGED AS FOLLOWS:**

1. This case is dismissed.
2. The Court reserves jurisdiction to determine timely filed fee applications for administrative expenses.
3. The automatic stay imposed by 11 U.S.C. Section 362 is terminated.
4. Pursuant to the provisions of 11 U.S.C. Sections 105(a) and 109(g), the Debtor(s) is not enjoined from filing a petition for relief under Title 11 of the United States Code.
5. All pending hearings are cancelled with the exception of any scheduled hearing on a motion for relief from stay that is currently scheduled for hearing within 14 days of the date of this Order or on an Order to Show Cause over which the Court hereby reserves jurisdiction.
6. Notwithstanding any other Court orders, the Trustee shall return to Debtor, or if Debtor is represented by an attorney, to Debtor in care of Debtor's attorney, any remaining funds on hand not previously disbursed and shall thereafter file the Trustee's final report. Upon the filing of the final report, the Trustee will be discharged of all duties as Trustee.
7. Debtor, the Trustee, or any party in interest may, within 14 days of the date of this Order, file a motion requesting the Court to examine the fees paid to Debtors' attorney and for the disgorgement of any portion of the fees deemed excessive. The Court shall retain jurisdiction for this purpose.
8. The Trustee shall refund all funds on hand, if any, to the Debtor in care of the Debtors' attorney, when represented by an attorney.

Laurie K. Weatherford, Chapter 13 Trustee, is directed to serve a copy of this order on interested parties and file a proof of service within three (3) days of the entry of the order

*Email sent on 1/19/2021*

Greetings Aldo:

Wishing you health.

Re: Sharing important information Thinking together:

1) I would be very grateful if the Motion to Reopen the case was sent to Judge Karen and Trustee Laurie. Send me a copy of it.

2) I share that Cenlar informed me that they continue to work with the modification and they informed me that everything is a process due to the Pandemic, everything has been delayed.

3) They asked me for more documents again that I had already sent them and they reported that some documents expire in 30,60, and 90 days. I share the information.

4) I asked them for evidence that they continue to work with my modification and they informed me "your lawyer can contact the firm Brock & Scott at 336-354-1200 with Teresa M.Hair (lawyer of the case)

That she can issue and confirm the case is active in the process of modification. Please connect and keep me informed.

5) Aldo I have kept you informed of the status of my modification case. With trust, respect and your guidance in the process.

Share it with the Trustee and the Judge of my case.

Awaiting reply.

Cordially,

Nelson Ramos

*e mail sent on 1/25/2021*

Hi Aldo,

Good morning:

Best regards:

Re: Thinking together:

Tracking points:

As you indicate, I am writing to you to know the status of what was discussed in our meeting.

A) I would like to know if you have already sent the Motion to Reopen to the judge and trustee?

B) I would like you to send me a copy of it and tell me in time any situation that may exist and your suggestion / solutions or options.

C) The letters I made to the judge are very important because they are facts that perhaps they did not know when making the decision to dismiss.

D) I have been extremely diligent with the modification process with Cenlar, I cannot say the same for them.

E) Remember Cenlar needs you to send your authorization in writing for them to talk to me about the case.

F) I would like later, after knowing the decision, you will answer me questions that I still have in a brief meeting. (Please indicate the day and time)

Take care of yourself and always confident and grateful to you.

Cordially,

Nelson Ramos

Waiting for your answer.

*email to attorney  
1/19/2021 9:15 AM.*

Hola Aldo:

Buenos Días:

Saludos Cordiales :

Re: Pensando Juntos :

Puntos Seguimiento :

Según me indicarás te escribo para saber status de lo discutido en nuestra reunión.:

A) Desearía saber si ya enviaste la Moción a la jueza y la trustee?

B) Quisiera me envíes copia de la misma y me indiques en tiempo cualquier situación pudiera existir y tu sugerencia / soluciones u Opciones .

C) Las cartas que hice a la juez y trustee son de mucha importancia, pues son realidades que tal vez ellas al tomar la decisión del dismiss no sabían.

D) He sido sumamente diligente con el proceso de modificación con Cenlar. No puedo decir lo mismo de ellos.

E) Recuerda Cenlar necesita envíes la autorización suya por escrito para ellos hablar conmigo de mi caso. Me indicastes Nora me la enviaría por e mail aún no la he recibido.

F) Desearía más adelante luego de saber decisión me contestaras interrogantes que aún tengo en una corta reunión.( cita favor indicarme día y hora)

Cuídese y siempre con la confianza Y agradecido de usted.

Cordialmente,

Nelson Ramos

En espera de respuesta .

Saludos Aldo:

Deseándole Salud.

Re: Compartiendo información de importancia : Pensando Juntos:

Puntos :

- 1) Mucho agradeceré me indique si la Moción Reconsideración fue enviada a la juez Karen y a Trustee Laurie. Enviarme copia de la misma ( moción)
- 2) Le comparto que Cenlar me informó que continúan trabajando con la modificación y me informaron todo es un proceso dado a la pandemia todo se ha atrasado.
- 3) Me solicitaron más documentos nuevamente que ya había enviado e informaron que algunos documentos vencen en 30, 60 y 90 días. Le comparto esta información.
- 4) Les solicité evidencia que siguen trabajando con mi modificación y me informaron " su abogado puede comunicarse con la firma Brock & Scott al 336-354-1200 con Teresa M. Hair ( attorney) of my case. Que ella puede emitir y confirmar el caso está activo en proceso de modificación. Favor Conectarse y mantenerme al día.
- 5) Aldo le he mantenido al tanto del status de mi caso de modificación. Con la confianza / respeto y su guía en el proceso .

Compartalo con Trustee y jueza.

En espera de respuesta :

Cordialmente,

Nelson Ramos